

HIGH COURT REFUSES TOWNLEY'S APPEAL

Declines to Review His Conviction for Disloyalty in Minnesota.

JAIL SENTENCE STANDS

Reargument of Wisconsin Intrastate Rate Case for December 5.

WAGE INCREASE ALLOWED

Discharged Employee Given Back Pay for Railroad Service.

3 INCOME TAX CUTS BEATEN IN SENATE

ELECTRIC CARGO SHIP HERE ON MAIDEN TRIP

The San Benito Travels Well in Stormy Seas.

The United Fruit Line's new cargo carrier, San Benito, the largest electric freighter built and equipped abroad, arrived yesterday on her maiden voyage from Spain, after a tussle with cyclonic seas. Capt. Jackson said that in the worst of the storm the propeller often was out of the water, but there was no racing and in pleasant seas there was no vibration.

The freighter carried 1,500,000 pounds of Valencia onions, 224,000 pounds of Spanish figs and 650,000 pounds of American grapes, kept cold by electric fans. The San Benito is 336 feet long and of 5,500 tons. She was built at Belfast. Her Curtis turbine generator drives a 3,000-horse-power synchronous motor in the stern for power. She made a maximum of 15.1 knots on her voyage. She will enter the Boston-Central American service of the United Fruit Line.

Proposed Rates Low—2, 3 and 4 P. C. Levies Had Been Set on Smallest Schedules.

WASHINGTON, Oct. 24.—Three separate proposals carrying reductions in the taxes on individuals having moderate incomes were voted down to-day by the Senate by overwhelming majorities.

The petition sought from the court a writ of certiorari to the Supreme Court of Minnesota, which would have ordered all the papers in the cases here for review.

The Non-Partisan League is interested more or less directly in a second case on the Supreme Court docket, involving validity of the North Dakota law regulating grain elevators within the State. The lower courts held the State legislation to be in conflict with Federal statutes and a restraint upon interstate commerce.

MUST SERVE JAIL TERM.

Townley and Gilbert must serve a sentence of ninety days in the Jackson County (Minn.) Jail, as the last avenue of appeal has been exhausted before the Supreme Court to review their case.

Townley and Gilbert were convicted in July, 1919, of conspiracy to encourage disloyalty during the war, in violation of State law.

Gilbert, prior to his conviction in Jackson County, was found guilty in the Goodhue County (Minn.) District Court of violation of the State espionage act, and after exhausting all avenues of appeal went to jail in Red Wing last Friday to serve a sentence of one year.

Authority of the Interstate Commerce Commission to supervise purely intrastate transportation rates probably will not be finally determined before the New Year as a result of the Supreme Court's decision to delay ordering a reargument of the North Dakota rate case involving this disputed point. The case was ordered docketed for reargument on December 5.

Brought originally by the State of Wisconsin to test the constitutionality of a rate of one cent per ton mile, it was immediately broadened by the entrance of about forty States, either through their legal departments or transit commissions, in opposition to the stand of the Interstate Commission.

The commission on its part asserted that the powers it attempted to exercise were clearly included in the transportation act, or otherwise its supervision of interstate schedules would be meaningless.

The court also announced to-day that it would hear argument January 3 on the State railroad case brought by North Dakota. The New York case, involving the authority of the Interstate Commerce Commission over State chartered roads, was argued in the court last week, and it is expected the case brought from Texas will be heard within the next few months.

TWO JUSTICES DISSENT.

Persons paying Federal taxes under protest cannot bring proceedings to recover such taxes against a successor of the collector to whom the taxes were paid, the court held in deciding a case brought by the Indiana Steel Company. Justice Holmes in announcing the opinion stated that the action against the collector, who died before he could personally meet him, would not be maintained. Justices McKenna and Clark dissented.

The Indiana Steel Company paid under protest corporation excise taxes of \$225,782 in 1919 and \$52,165 in 1912. The official to whom the taxes were paid no longer being in office the company sought to recover from his successor.

A penitentiary sentence of five years imposed upon J. Herman Dierkes in Cincinnati must stand, the court refusing to review the case. Dierkes had been serving on parole since he was paroled from January 1, 1918, to May 13, 1918, although they may have been discharged for cause that year prior to the issuance of the order.

This is the effect of the refusal of the Supreme Court to review a case brought by the Dierkes, a railroad man, in which he was sentenced to five years in prison for violating the espionage act, and the sentence imposed upon him was another decision.

Persons employed upon railroads while under Federal control were entitled to the increase in compensation provided in the order of the commission, it was decided. The court, however, held that the statement made in June, 1918, that he "would rather serve a term in the penitentiary than wear a uniform in Wilson's Wall Street war."

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The delegation included Gov. Sprout, Lt.-Gov. Bettencourt, and other State officials of Pennsylvania, who voted in the House, in which Fred W. Weisheit was convicted for the defalcation of \$3,200 while receiver of the First National Bank of London, Ky.

KILLED IN HEIGHTS STATION.

Charles J. Sherman, 35, an insurance clerk, of 514 West 169th street, was killed yesterday by a southbound subway train at the 157th street station of the West Side Interborough line. Sherman was struck in the north and south doors of the station. His head was caught between safety doors and a descending elevator crushed him. Firemen and members of the Rescue Squad worked half an hour before they could release his body.

The motorman, William Klink, in his effort to the company said Sherman jumped from the platform. Sherman's wife, however, said her husband had no trouble, left home in good spirits and had no reason for suicide. Sherman was employed by William S. Brown of 151 Madison Avenue.

Descending Cars Strike Garage Foreman and Operator.

Benjamin Bedow, 21, of a garage at 464 East Seventy-seventh street, was killed yesterday when his head was caught between safety doors and a descending elevator. Firemen and members of the Rescue Squad worked half an hour before they could release his body.

Bernard Kenny, 56, of 118 Cornell street, Brooklyn, an elevator operator at 10 Thomas street, Manhattan, was killed when a descending elevator struck him on the head. He lay in the elevator pit.

KROONLAND LOSES PROPELLER AT SEA

Red Star Liner Is Limping Back to New York on One Set of Engines.

HAD STEAMED 400 MILES

Voyagers Will Be Transferred to the Lapland, Which Is to Sail Saturday.

The Red Star liner Kroonland, which sailed hence on Saturday for Plymouth, Cherbourg and Antwerp with seventy-one passengers, only thirteen of which are in the first cabin, is returning to port under her starboard engines, steaming at the rate of about eight knots, and should arrive here this afternoon. Capt. Newman in a wireless message to the office of the line said that the port propeller shaft had broken in the stern casing in heavy weather at 8 o'clock Sunday night when the ship was 400 miles out.

The Kroonland, a twin screw and oil burner, doubtless would have proceeded on her voyage if she had been half way across or near the British coast, getting about three-quarters speed out of the single set of engines in placid seas, but her superiors consider he was wise in returning so short a distance on his course. It is common for ocean skippers to make more than half of a transatlantic trip under one set of engines.

Although Capt. Newman did not say so, it is quite probable that the port propeller, after the breaking of the shaft in the stern, dropped into the sea. This is what frequently happens.

The Kroonland's passengers will be transferred to the Lapland, which will put into dry dock for a thorough overhauling, which was about due. She is under charter to take Mystic Shriners to the Pacific coast next summer.

The Kroonland was one of the first American ships to be commanded in an armament during the war, and was signed by twenty-eight Republicans. Senator Penrose said he hoped that by tomorrow there would be forty-nine Republican signers or a necessary majority to put the resolution through.

Senator Penrose said that by having continuous sessions Senators who desired to discuss the "shortcomings" of the Federal Reserve Board, the "iniquities" of Wall Street and other such subjects could do so between 4 A. M. and day-break without "delaying action on the tax bill."

2 PER CENT. INITIAL RATE LAST.

The first tax amendment defeated today was that by Senator Gerry, Democrat (R. I.), proposing that the normal tax rates be 2 per cent. on the first \$5,000 of income, 4 per cent. on the second \$5,000, 6 per cent. on the third \$5,000, and 8 per cent. on all over \$15,000. The vote was 46 to 28, for defeat.

NOT THE AMENDMENT.

It was the second amendment by Senator Walsh (Mass.) that passed, and was signed by twenty-eight Republicans. Senator Penrose said he hoped that by tomorrow there would be forty-nine Republican signers or a necessary majority to put the resolution through.

The Kroonland was in the Pacific-Atlantic service of the line before the war. She was built by the Cramps at Philadelphia in 1912, is 560 feet long and measures 12,760 gross tons.

ACCLAIM VENIZELOS LEADER OF GREEKS

Countrymen Here Hold Reception in Rooms of Liberal League.

Elentherios Venizelos, former Premier of Greece, who leaves New York to spend the winter in Santa Barbara, Cal., was again wildly acclaimed by countrymen yesterday at the Pan-Hellenic Union, 133 East Thirty-fifth street. His hosts were the members of the central committee of the League of Greek Liberals in America, numbering more than 260,000 in sixty-five organizations of five large groups centering in New York, Boston, Chicago and Memphis. The frank aim of the Greek Liberals in the United States is work for a permanent republican government in Greece with Mr. Venizelos as President.

He arrived at the rooms of the union at 10 A. M. and was received by a large crowd who shook hands with P. Venetsanatos, T. Karathatos, C. Vasiliadis, D. Christophoridis, S. Marantakakis, A. Takis, C. Ruttanios and M. Theodoropoulos, members of the central committee of the Liberal League and with K. P. Tsolakis, general secretary of the League, and his wife, Mrs. Venizelos, and his two sons, Constantine and George.

Mr. Venizelos finished handshaking the rooms of the union were bursting with excited persons.

Mr. Venizelos made the brief address of welcome, saying that Greeks in the United States did not look upon Mr. Venizelos as the leader of a party so much as the great figure of modern Greece and the hope of Greeks everywhere.

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